

Please type a plus sign (+) inside this box → ☐

PTO/SB/01 (12-97)
Approved for use through 9/30/00. OMB 0651-0032
Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)	Attorney Docket Number	MLF600.06
	First Named Inventor	Carrell W. Ewing
	COMPLETE IF KNOWN	
	Application Number	/
	Filing Date	
	Group Art Unit	
<input checked="" type="checkbox"/> Declaration Submitted with Initial Filing	OR	<input type="checkbox"/> Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)
Examiner Name		

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

REMOTE POWER CONTROL SYSTEM THAT VERIFIES WHICH DEVICES
WILL BE SHUT-DOWN BEFORE SUCH ACTION IS COMMITTED TO

the specification of which
☒ Is attached hereto
OR
☐ was filed on (MM/DD/YYYY) as United States Application Number or PCT International

Application Number and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)

☐ Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

{Page 1 of 2}

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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DECLARATION Utility or Design Patent Application

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application or PCT Parent
Number

08/685,436

Parent Filing Date
(MM/DD/YYYY)

07/23/96

Parent Patent Number
(If applicable)

☐ Additional U.S. or PCT international application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

☐ Customer Number

OR

☒ Registered practitioner(s) name/registration number listed below

Place Customer
Number Bar Code
Label here

Name

Registration
Number

Name

Registration
Number

Richard B. Main

33,258

☐ Additional registered practitioner(s) named on supplemental Registered Practitioner Information sheet PTO/SB/02C attached hereto.

Direct all correspondence to: ☐ Customer Number
or Bar Code Label

OR ☒ Correspondence address below

Name

Richard B. Main

Address

ShellDrake Limited

Address

24441 Mines Road

City

Livermore

State

CA

ZIP

94550

Country

USA

Telephone

408-897-3100

Fax

408-897-3102

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First Inventor:

☐ A petition has been filed for this unsigned inventor

Given Name (first and middle (if any))

Carrell W.

Family Name or Surname

Ewing

Inventor's
Signature

Date

9/13/99

Residence: City

Palo Alto

State

CA

Country

USA

Citizenship

USA

Post Office Address

585 Washington

Post Office Address

City

Palo Alto

State

CA

ZIP

94301

Country

USA

☒ Additional inventors are being named on the 1 supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto

Please type a plus sign (+) inside this box → ☐

PTO/SB/02A (3-87)

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DECLARATION	ADDITIONAL INVENTOR(S) Supplemental Sheet Page <u>3</u> of <u>3</u>
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Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor					
Given Name (first and middle (if any))				Family Name or Surname			
Andrew J.				Cleveland			
Inventor's Signature	<i>Andrew J. Cleveland</i>					Date	8/13/99
Residence: City	San Martin	State	CA	Country	USA	Citizenship	USA
Post Office Address 12467 Creek View Court							
Post Office Address							
City	San Martin	State	CA	ZIP	95046	Country	USA
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor					
Given Name (first and middle (if any))				Family Name or Surname			
Inventor's Signature						Date	
Residence: City		State		Country		Citizenship	
Post Office Address							
Post Office Address							
City		State		ZIP		Country	
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor					
Given Name (first and middle (if any))				Family Name or Surname			
Inventor's Signature						Date	
Residence: City		State		Country		Citizenship	
Post Office Address							
Post Office Address							
City		State		ZIP		Country	

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MAIL STOP PATENT

FILING RECEIPT

Attorney Docket No.: 40026-X

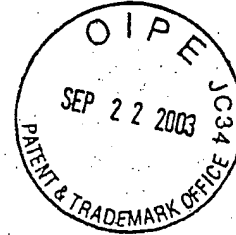
Date: September 22, 2003

Attorney: RCR

Inventor: Carrel EWING, et al.

Serial No. 09/375,471

Title: REMOTE POWER CONTROL SYSTEM



DOCUMENTS BEING FILED HERewith:

THE PTO STAMP HEREON ACKNOWLEDGES RECEIPT OF:

- 1) Transmittal Letter;
- 2) Revocation and Power of Attorney from Assignee;
- 3) Statement Under 37 CFR 3.73(b);
- 4) Copy of Assignment from Inventors to Assignee.

NATH & ASSOCIATES PLLC
1030 Fifteenth Street, N.W.
Sixth Floor
Washington, D.C. 20005
Tel: (202) 775-8383
Fax: (202) 775-8396

FILE CHECK

Prepared by: SMR

Approved by: MLD

Copy reviewed: JWR

Filed by: JS

RCR/MCB/jnr:RevPOA.FR

MAIL STOP PATENT
Attorney Docket No.: 40026-X

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Carrel EWING, et al.

Serial No.: 09/375,471

Group Art Unit: 2157

Filed: August 16, 1999

Examiner: A. CALDWELL

For: REMOTE POWER CONTROL SYSTEM

TRANSMITTAL LETTER

Commissioner for Patents
P.O. box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith for filing in the U.S. Patent and
Trademark Office is the following:

- 1) Transmittal Letter;
- 2) Revocation and Power of Attorney from Assignee;
- 3) Statement Under 37 CFR 3.73(b);
- 4) Copy of Assignment from Inventors to Assignee.

Respectfully submitted,
NATH & ASSOCIATES PLLC

By: 

Robert C. Ryan
Registration No. 29,343
Marvin C. Berkowitz
Registration No. 47,421
Customer No. 20529

Date: September 22, 2003
NATH & ASSOCIATES PLLC
1030 15TH Street, NW - 6th Floor
Washington, D.C. 20005
Telephone: 202-775-8383
Facsimile: 202-775-8396
RCR/MCB/jnr:RevPOA_trans

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

(Attorney Docket No. 40026-x)

Applicants: Ewing et al.

Serial No.: 09/375,471

Group Art Unit 2154

Filed: August 16, 1999

Examiner A. Caldwell

For: REMOTE POWER CONTROL SYSTEM

REVOCATION AND POWER OF ATTORNEY

Honorable Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

Dear Commissioner:

The Assignee hereby revokes any previous Power of Attorney and appoints Gary M. Nath, Reg. No. 26,965, Harold L. Novick, Reg. No. 26,011, Todd L. Juneau, Reg. No. 40,669, Robert C. Ryan, Reg. No. 29,343, Lee C. Heiman, Reg. No. 41,827, Jerald L. Meyer, Reg. No. 41,194, Joshua B. Goldberg, Reg. No. 44,126, Marvin C. Berkowitz, Reg. No. 47,421, Shelden McGee, Reg. No. 50,454, and Tanya E. Harkins, Reg. No. 52,993, as my attorneys to prosecute this application and transact all business in the U.S. Patent and Trademark Office connected herewith.

Send correspondence to: Robert C. Ryan
Nath & Associates PLLC
1030 15th Street, N.W.
6th Floor
Washington, D.C. 20005

Direct telephone calls to: Robert C. Ryan at 775-824-0104 or 202-775-8383.

SERVER TECHNOLOGY, INC., ASSIGNEE

By:

Brandon W. Ewing
Name (print or type)

[Signature]
Signature

Date:

7-9-03

Executive Vice President
Title (print or type)

07/08/2003 10:45 775824 77

ROBERT RYAN

Docket No. 40026-X

STATEMENT UNDER 37 CFR 3.73(b)

Applicants: Carrel W. EWING, et al.
Serial No. 09/375,471 Filed: August 16, 1999
Entitled:
REMOTE POWER CONTROL SYSTEM

Server Technology, Inc., a corporation
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership,
university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of an undivided part interest

in the patent application identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel _____ Frame _____ OR for which a copy thereof is attached; OR

B. ☐ A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or a copy thereof is attached.

2. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet; or

C. ☐ Copies of assignments or other documents in the chain of title are attached.

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

7-9-03
Date

[Signature]
Signature

Carrel W Ewing
Typed or Printed Name

Executive Vice President
Title

Server Technology, Inc.

Page One of Two

MS ASSIGNMENT RECORDATION SERVICES
Attorney Docket No.: 40026-XASSIGNMENT

FOR GOOD AND VALUABLE CONSIDERATION given to Carrel W. EWING and Andrew J. CLEVELAND, hereinafter referred to as the ASSIGNOR(S), who has/have invented certain new and useful REMOTE POWER CONTROL SYSTEM referred to as the invention, for which I/we has/have executed an application for Letters Patent filed in the United States Patent and Trademark Office on August 16, 1999, Serial No. 09/375,471.

WHEREAS, Server Technology, Inc., a corporation organized and existing under the laws of the country/state of Nevada whose post office address/business address is 1040 Sandhill Drive, Reno, Nevada 89511, hereinafter referred to as the ASSIGNEE, desires to acquire the entire right, title and interest for the United States and elsewhere throughout the world in and to said invention and application, including any and all divisions and continuations thereof, all rights of priority under the terms of the International Convention for the Protection of Industrial Property, and any and all Letters Patent which may be granted thereon, including any and all renewals, reissues and prolongations thereof.

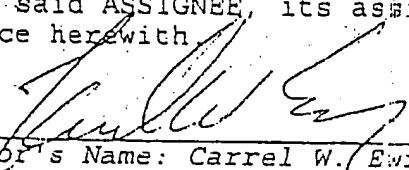
NOW, WITNESSETH THIS that for and in consideration of the sum of one dollar (\$1.00) and other good and valuable consideration, the receipt, adequacy and sufficiency of which are hereby acknowledged, said ASSIGNOR(S) hereby assign(s), sell(s) and transfer(s) to said ASSIGNEE, its assigns and legal representatives, the entire right, title and interest for the United States and elsewhere throughout the world, in and to said invention and application, including any and all divisions and continuations thereof, all rights of priority under the terms of the International Convention for the Protection of Industrial Property, and any and all Letters Patent which may be granted thereon, including any and all renewals, reissues and prolongations thereof, with all the rights, powers, privileges, and advantages in any way arising from or pertaining thereto, for and during the term or terms of any and all such Letters Patent when granted, including any and all renewals, reissues and prolongations thereof, for the use and benefit of said ASSIGNEE and its assigns and legal representatives, in as ample and as beneficial a manner for all intents and purposes as said ASSIGNOR(S) might or could have held and enjoyed the same had this assignment not been made.

Page Two of Two

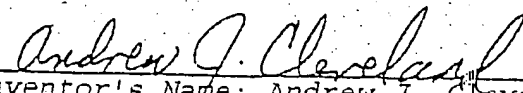
MS ASSIGNMENT RECORDATION SERVICES
Attorney Docket No.: 40026-XASSIGNMENT

ALSO, said ASSIGNOR(S) hereby agree(s) to execute all papers necessary to file said applications in the United States and elsewhere throughout the world, and to assign the same to said ASSIGNEE, or any assignee acquiring title to said invention, and to execute any other papers that may be needed in connection with filing said application and securing any and all Letters Patent thereon.

AND said ASSIGNOR(S) authorize(s) and request(s) the Commissioner of Patents to issue a Letters Patent on said application, and on any and all divisions and continuations thereof, to said ASSIGNEE, its assigns and legal representatives, in accordance herewith.

By: 
Inventor's Name: Carrel W. Ewing
(first or first inventor)

7-22-03
Date

By: 
Inventor's Name: Andrew J. Cleveland
(second inventor)

7-22-03
Date